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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of</p> <p>Kevin J. Baker et al.</p> <p>Serial No.: to be assigned</p> <p>Filed: herewith</p> <p>For: PROTEIN TYROSINE KINASES</p>	<p>Group Art Unit: to be assigned</p> <p>Examiner:</p> <p><small>CERTIFICATION UNDER 37 CFR 1.10</small> <small>Express Mail No.: EM 168 882 540 US</small> I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231.</p> <p>January <u>25</u>, 1999</p> <p><i>Joyce Cohen</i> Joyce Cohen</p>
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PRELIMINARY AMENDMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Prior to the examination of this application on its merits, please amend the application as follows.

In the Specification:

On page 1, line 12, after "This is a", please insert --divisional application of U.S.

Serial No. 08/170,557 filed on December 20, 1993, which is a--.

On page 1, line 13, after "23 November 1993" please insert +, now abandoned, which applications are incorporated herein by reference and to which applications priority is claimed under 35 USC §120--

In the Claims:

Please cancel Claims 21-25 without prejudice, and add the following new claims:

--26. An isolated HPTK6 receptor protein tyrosine kinase (rPTK) nucleic acid molecule.--

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- 27. The isolated nucleic acid molecule of Claim 26 comprising a nucleic acid sequence selected from the group consisting of:
- (a) the nucleic acid sequence SEQ ID NO:3;
 - (b) the nucleic acid sequence SEQ ID NO:7;
 - (c) a sequence corresponding to the sequence of (a) or (b) within the scope of degeneracy of the genetic code; and
 - (d) a sequence which hybridizes with a sequence complementary to the sequence from (a), (b) or (c) under stringent conditions and which codes for a receptor protein with tyrosine kinase activity.--
- 28. A vector comprising the nucleic acid molecule of Claim 26.--
- 29. A host cell comprising the vector of Claim 28.--
- 30. A method for preparing HPTK6 rPTK comprising culturing the host cell of Claim 29 expressing HPTK6 rPTK and recovering the HPTK6 rPTK from the host cell culture. --


REMARKS

Claims 26-30 are now pending. The specification has been amended to recite continuing application data. New Claims 26-30 are supported by original Claims 21-25, Figure 2 and page 9, lines 18-27. No new matter has been added by this amendment.

In the event that any additional fees are due in connection with the filing of these documents, the Commissioner is authorized to charge such fees to our Deposit Account No. 07-0630.

Respectfully submitted,
GENENTECH, INC.

Date: January 25, 1999

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